

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Yasuo Murakami et al.

Application No.: 10/726,655

Confirmation No.: 5851

Filed: December 4, 2003

Art Unit: 1734

For: VACUUM ARC VAPOR DEPOSITION
APPARATUS

Examiner: Not Yet Assigned

THIRD INFORMATION DISCLOSURE STATEMENT (IDS)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Submitted herewith on Form PTO-1449 or PTO/SB/08 is a listing of documents known to Applicant in order to comply with Applicant's duty of disclosure pursuant to 37 CFR 1.56. Applicant respectfully requests that the listed documents be considered by the Examiner and formally be made of record in the present application and that an initialed copy of Form PTO-1449 or PTO/SB/08 be returned in accordance with MPEP §609.

- ☒ A copy of each listed document is being submitted to comply with the provisions of 37 CFR §§1.97 and 1.98
- ☐ As provided in 37 CFR §1.98(d), copies of the documents are not being provided since they were previously cited by or submitted to the Patent Office in parent application Serial No. _____, filed _____.
- ☐ A copy of each listed document, that was cited in the International Search Report or International Preliminary Examination Report attached hereto, should have been provided to the U.S. Patent and Trademark Office by the WIPO, and the provisions of 37 CFR §§1.97 and 1.98 should have been complied with.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicant does not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* prior art reference against the claims of the present application.

- ☒ 1. This Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits in the present application. **No fee is required.** If, however, a first Office Action on the merits is issued, **no fee is required** in view of the statement below (37 C.F.R. §1.97(b)).
- ☒ a. Each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 CFR §1.97(e)(1).
- ☐ b. No item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in this Information Disclosure Statement was known to any individual designated in 37 CFR §1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 CFR §1.97(e)(2). The Certification under 37 CFR §1.97(e)(2) is attached hereto.

The Patent Office is **NOT AUTHORIZED** to charge deposit account 18-0013 in the amount of \$180.00 under 37 CFR §§ 1.97(d)(2) and 1.17(p). However, **ONLY IF** a notice of allowance under 37 CFR §1.311 or an action that otherwise closes prosecution in the application has been mailed prior to filing of this Information Disclosure Statement, the Patent Office is authorized to charge \$180.00 under 37 CFR §§ 1.97(d)(2) and 1.17(p) in view of the statement above under 37 CFR §1.97(e). Please charge any fee deficiency or credit any overpayment to Deposit Account No. 18-0013 as needed to ensure consideration of the disclosed information.

- ☒ 2. Please charge any fee deficiency or credit any overpayment to Deposit Account No. 18-0013 as needed to ensure consideration of the disclosed information.

Dated: December 2, 2004

Respectfully submitted,

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PTO/SB/08a/b (08-03)

Approved for use through 07/31/2006. OMB 0651-0031

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Substitute for form 1449A/B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>				Complete if Known	
				Application Number	10/726,655-Conf. #5851
				Filing Date	December 4, 2003
				First Named Inventor	Yasuo Murakami
				Art Unit	1734
				Examiner Name	Not Yet Assigned
Sheet	1	of	1	Attorney Docket Number	TGW-0203

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number Number-Kind Code ² (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Foreign Patent Document Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
	BA	JP-2002-294433-A1	10-09-2002	Nissin Electric Co., Ltd.		

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	CA	Taiwan Patent Office Action dated November 8, 2004.	

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¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.

Examiner Signature		Date Considered	
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